

that the article had been shipped on or about November 17, 1919, by A. Cohen & Co., Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 3, 1920, A. Cohen & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S344. Adulteration of pecan nuts. U. S. * * * v. 332 Sacks Containing Pecan Nuts. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11543. I. S. No. 29-r. S. No. E-1871.)

On December 2, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 332 sacks containing pecan nuts, at New York, N. Y., alleging that the article was shipped on or about October 7, 1919, by the Border National Bank, Eagle Pass, Tex., and transported from the State of Texas into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in that the article consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 22, 1920, F. S. E. Gunnell & Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S345. Alleged misbranding of "Sulfox." U. S. * * * v. Eman Mfg. Co., a Corporation. Tried by the court. Verdict of acquittal. (F. & D. No. 11635. I. S. No. 2657-r.)

At the November, 1919, term of the District Court of the United States for the District of Colorado, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Eman Mfg. Co., a corporation, Denver, Colo., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 14, 1919, from the State of Colorado into the State of California, of a quantity of an article, labeled in part "'Sulfox' A Medicinal Water Artificially Prepared Sole owners and manufacturers The Eman Mfg. Co., Incorporated Main office 1426 Curtis Street Denver, Colo.," which was alleged to be misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution consisting essentially of sulphuric acid and traces of calcium sulphate with a very faint trace of sulphur dioxide.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements included in the circulars accompanying the article falsely and fraudulently represented it to be effective as a pre-